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 Tuesday was the first
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Holder's hiring The question is legitimate

The right's rhetorical thunder is not rolling merely on the health-care issue. Attorney General Eric Holder's hiring preferences have also come under scrutiny.

What has conservatives roiled is the number of attorneys now employed by the Justice Department who made a certain mark defending terrorist detainees. They wonder what sort of influence on policy these litigators may be peddling.

Mr. Holder's right to staff his department however he chooses notwithstanding, this is a valid question. We say this in light of remarks tendered by media analyst (critic, really) Bernard Goldberg on his regular "Weekdays with Bernie" segment on Monday's night's "O'Reilly Factor."

Mr. Goldberg laid out a similar scenario: What if a right-wing president and attorney general decided to populate Justice with a bevy of lawyers known for defending, say, notorious members of the Ku Klux Klan? Liberals would wonder, with sufficient justification, whether said personnel would dictate policy. After all, as many a political scientist has noted, personnel is policy.

The same skepticism applies in this real-life case. We're not talking about right to representation. Even detainees at military tribunals are afforded this legal right. In fact, John Adams made his first lasting imprint on the public weal in 1770 when he defended — successfully, may we add — the British officer whose soldiers were implicated in the Boston Massacre.

No, representation is not the issue. But potential impact on terror-fighting policy is. And this is not to say there will be said impact. But the possibility exists, and so raising such a legitimate question is not out of line. Truth be told, it's warranted.

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